

EXHIBIT G

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6 Attorneys for Plaintiff
7 Jessica Costa
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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 **JESSICA COSTA,**

12 **PLAINTIFF,**

13 **V.**

14 **NATIONAL ACTION**
15 **FINANCIAL SERVICES AND**
16 **DEFENDANT ELIZABETH**
DOE,

17 **DEFENDANTS.**
18
19

CASE NO.: 05-2084 FCD KJM

DECLARATION OF ERIC F. FAGAN IN
SUPPORT OF REQUEST FOR
APPROVAL OF ATTORNEYS FEES

HON. FRANK C. DAMRELL JR.

20 I, Eric F. Fagan, declare:
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- 22 1. I am an attorney licensed to practice before all California courts and
23 admitted to practice before the federal courts in the Central and Southern
24 Districts of California. I am submitting this declaration at the request of
25 Joshua B. Swigart in support of his request for attorney's fees, as allowed
26 under both state and federal law. If called as a witness, I could and would
27 testify to the matters herein from personal knowledge.
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1 2. I am the founder of The Law Offices of Eric F. Fagan. I am a practicing
2 attorney in the area of consumer rights litigation and have been admitted to
3 practice since 1979.

4 3. In my capacity as an attorney in a number of individual actions, I have had
5 the opportunity to see the fees charged by other counsel in those cases. I
6 understand that Joshua B. Swigart and Robert L. Hyde are billing at a rate
7 of \$315 for their services in this case and asking for an award of fees based
8 upon that hourly rate. Based upon my experience, those hourly rates are
9 reasonable and consistent with the rates charged by attorney's with similar
10 expertise in the Southern California legal community.

11 4. My billing rate is \$350.

12 5. I have had personal experience in working with both Joshua B. Swigart and
13 Robert L. Hyde over the past three years. On many occasions I have had
14 occasion to consult with one or both about technical points of the law and
15 have found them to be exceptionally perceptive.

16 6. I have observed their work and believe their hourly rate of \$315 per hour
17 is certainly justified.

18 I declare under the penalty of perjury that the above is true and correct.

19 Executed under the law of the State of California at San Diego, California on
20 February 27, 2008

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24 Eric F. Fagan
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